

**UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 4:05-cr-103-01

RISING SUN IRWIN

Defendant.

CLERK'S MINUTES OF PROCEEDINGS

The Hon. Daniel L. Hovland

Date: Monday, May 22, 2006

Bismarck, North Dakota

Time: 10:03 AM, CDT

Court Reporter: Sandie Ehrmantraut

Recess: 11:26 AM

Proceeding: SENTENCING

Clerk: Donald E. Emineth

USPO: Michael P. McGrath

**Appearances: Rick L. Volk, for United States
William D. Schmidt, for Defendant**

Defendant's counsel advises no factual disputes with the pre-sentence report, nor are there objections to the sentencing guidelines calculations... concurrence by Government's counsel.

Carolyn Bird Bear, sworn and presents statement to the Court.

Video tape of Victim's Statement presented (marked as Govt Ex. 1 - retained in Clerk's Vault - to be returned following expiration of appeal time).

Ryan Eagle, sworn & testifies on behalf of Defendant.

Exam by Mr. Schmidt - 10:38

Cross exam by Mr. Volk - 10:42

Rose Crow Flies High, sworn & testifies on behalf of Defendant

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Direct exam - 10:43

Cross exam - 10:49

Government counsel's sentence recommendation.

Defendant counsel's sentence recommendation.

Statement by Defendant.

(Written statement presented to the Court) (Given to Probation Officer)

Defendant sentenced.

(Statement by Court)

Defendant advised of Right of Appeal.